

## SMITH FROHWEIN TEMPEL GREENLEE BLAHA LLC

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ATLANTA, GEORGIA 30346

404/815-9300

FACSIMILE 770/804-0900

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## FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
Ali Alavi	Candace Ranglin for Gregory S. Smith
COMPANY:	DATE:
	February 27, 2006
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
571/273-8300	10
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
RE:	YOUR REFERENCE NUMBER:

☐ URGENT ☒ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

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## NOTES/COMMENTS:

Ali Alavi,

Please see attached.

Sincerely,

Candace

(FAX10A-L)

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## Auto-Reply Facsimile Transmission



TO:

Fax Sender at 7708040900

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Date Received:

6/8/2005 12:20:40 PM [Eastern Daylight Time]


Total Pages:

7 (including cover page)

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Cover  
Page

=====&gt;

02/27/2006 11:22 FAX 7708040900		001/007	
 <b>LAVA GROUP</b> LAVA GROUP, INC.			
<b>FACSIMILE TRANSMISSION</b>			
MAIL STOP : 1 America	FROM : Gregory S. Smith		
EXAMINER : ZLEADY, Bertrand	Faxing DATE: June 8, 2005		
FACSIMILE : (703) 872-9306	LAVA GROUP FAX #: 07094.1000		
REMARKS: Application Serial No 30627,137 Filed July 25, 2005			
This Transmission Includes the Following Items			
Item Being Transmitted	Pages		
<input checked="" type="checkbox"/> Transmittal Form	1		
<input checked="" type="checkbox"/> Fee Transmittal Form	1		
<input checked="" type="checkbox"/> USPTO 2035 Credit Card Authorization	1		
<input checked="" type="checkbox"/> Response	1		
<input checked="" type="checkbox"/> Copy of Office's Notice	2		
Total Pages Including Cover Sheet		7	
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*Handwritten:*  
 M. K. Smith  
 6.9.2005  
 GOS

02/27/2006 16:04 FAX 7708040900

FEB 27 2006

003/010

06/08/2005 11:25 FAX 7708040900

001

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\*\*\* TX REPORT \*\*\*  
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## TRANSMISSION OK

TX/RX NO	1661
RECIPIENT ADDRESS	17038729306
DESTINATION ID	
ST. TIME	06/08 11:21
TIME USE	08'43
PAGES SENT	7
RESULT	OK



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## FACSIMILE TRANSMITTAL

MAIL STOP : Amendment FROM : Gregory S. Smith  
EXAMINER : ZEADE, Bertrand Faxing DATE: June 8, 2005  
FACSIMILE : (703) 872-9306 LAVA GROUP FILE #: 07004,1000  
SUBJECT: Application Serial No 10/627,157 Filed July 25, 2003

## This Transmission Includes the Following Items

Item being transmitted	Pages
<input checked="" type="checkbox"/> Transmittal Form	1
<input checked="" type="checkbox"/> Fee Transmittal Form	1
<input checked="" type="checkbox"/> PTO 2038 Credit Card Authorization	1
<input checked="" type="checkbox"/> Response	1
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## FACSIMILE TRANSMITTAL

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MAIL STOP : Amendment  
EXAMINER : ZEADE, Bertrand  
FACSIMILE : (703) 872-9306  
SUBJECT: Application Serial No 10/627,157 Filed July 25, 2003

FROM : Gregory S. Smith  
Faxing DATE: June 8, 2005  
LAVA GROUP FILE #: 07004.1000

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### This Transmission Includes the Following Items

Item being transmitted	Pages
<input checked="" type="checkbox"/> Transmittal Form	1
<input checked="" type="checkbox"/> Fee Transmittal Form	1
<input checked="" type="checkbox"/> PTO 2038 Credit Card Authorization	1
<input checked="" type="checkbox"/> Response	1
<input checked="" type="checkbox"/> Copy of Office's Notice	2

Total Pages Including Cover Sheet 7

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### COMMENTS:

TWO RAVENNA DRIVE, SUITE 790  
ATLANTA, GEORGIA 30346

TELEPHONE: 770-804-9070  
FACSIMILE: 770-804-0900

MOBILE: 404-643-3430  
EMAIL: gsmith@lavagroup.net

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PTO/SS/21 (55-03)


Approved for use through 03/30/2003, OMB 0331-0031

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<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/627,157	
	Filing Date	July 25, 2003	
	First Named Inventor	KEITH, Darrell	
	Art Unit	2875	
	Examiner Name	ZEADE, Bertrand	
Total Number of Pages in This Submission	6	Attorney Docket Number	07004.1000

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.62 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Pillion <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Re/und <input type="checkbox"/> CO, Number of CO(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Credit Card Authorization Copy of Office's Notice
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Smith Frohwein Tempel Greenlee Blaha LLC
Signature	
Date	June 8, 2005

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
Typed or printed name	Gregory Scott Smith (40,819)	
Signature		Date June 8, 2005

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (12-04-02)

Approved for use through 07/31/2006, OMB 0651-0032  
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>Effective on 12/08/2004.</b> Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4678). <b>FEE TRANSMITTAL</b> <b>For FY 2005</b>		<b>Complete if Known</b> Application Number 10/627,157 Filing Date July 25, 2003 First Named Inventor KEITH, Darrell Examiner Name ZRADE, Bertrand Art Unit 2875 Attorney Docket No. 07004,1000	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27			
TOTAL AMOUNT OF PAYMENT	(\$)	50.00	

**METHOD OF PAYMENT (check all that apply)**

☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_  
☐ Deposit Account Deposit Account Number: \_\_\_\_\_ Deposit Account Name: \_\_\_\_\_  
 For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)  
☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee  
☐ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☐ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION**

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims: \_\_\_\_\_ Extra Claims: \_\_\_\_\_ Fee (\$): \_\_\_\_\_ Fee Paid (\$): \_\_\_\_\_  
 HP = highest number of total claims paid for, if greater than 20.  
 Indep. Claims: \_\_\_\_\_ Extra Claims: \_\_\_\_\_ Fee (\$): \_\_\_\_\_ Fee Paid (\$): \_\_\_\_\_  
 HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(O) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____	_____	_____	_____	_____

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Fee Deficiency for extra claims 50

**SUBMITTED BY**

Signature	Registration No. 40,818 (Attorney/Agent)	Telephone (770) 804-9070
Name (Print/Type) Gregory Scott Smith		Date June 8, 2005

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1460.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:	§ Confirmation Number:
KEITH, Darrell	§ 2519
Serial No.:	§ Group Art Unit:
10/627,157	§ 2875
Filed:	§ Examiner:
July 25, 2003	§ ZEADE, Bertrand
Title: INTERNALLY ILLUMINATED	§ Atty. Docket Number:
FISHING ROD	§ 07004.1000
	§
	§

RESPONSE TO NOTICE OF FEE DEFICIENCY

Mail Stop Amendment  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

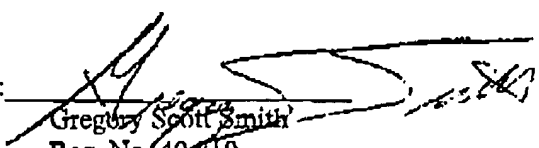
To the Office:

We are in receipt of the Notice of Fee Deficiency mailed by the Office on May 27, 2005.

Enclosed please find a Fee Transmittal and a Credit Card Authorization for the due fees. We also include a copy of the Office's notice.

Respectfully submitted,

By:

  
Gregory Scott Smith  
Reg. No. 40,819  
Attorney for Applicant

LAVA Group Law by Smith & Frohwein  
PO Box 88148  
Atlanta, Georgia 30356  
(770) 804-9070



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, DC 20231  
www.uspto.gov

Paper No.

## NOTICE OF FEE DEFICIENCY

The information regarding the payment of the fee is indicated below in connection with

- ☐ the original filing of the application and/or preliminary amendment (e.g. additional claim fees)
- ☒ the reply filed on 5-24-05 because of the 5-24-05. The reply is not fully responsive to the prior Office action following matter(s). See 37 CFR 1.111 and 37 CFR 1.135.

## FEE(S) DUE

- ☐ 1. The reply (e.g., amendment) is considered incomplete in that the funds in Deposit Account No.                      are insufficient to cover the entire fee due. The balance\* is due within the time period set below.
- ☐ 2. The reply (e.g., amendment) is considered incomplete in that the Credit Card payment to cover the entire fee due to Account                      (Card type + last 4 digits ONLY) was refused. The balance\* is due within the time period set below.
- ☐ 3. The reply (e.g., amendment) has not been entered, since applicant has failed to remit (or authorize charge to a Deposit Account or Credit Card) the fee as indicated on the attached Patent Application Fee Determination Record. Remittance or authorization is due within the time period set below.
- ☒ 4. The filing fee of \$                      submitted in this application is insufficient. A balance of \$ 50.00 is due for presentation of excess claims (37 CFR 1.16(b) & (c)).
- ☐ 5. Other.

Explanation (Provide specific details of the required correction in order to assist the applicant. Indicate whether a service charge has been added to the fee due):

Please See Attachment

APPLICANT IS GIVEN A TIME PERIOD OF ONE (1) MONTH or THIRTY (30) DAYS FROM THE MAILING DATE OF THIS NOTICE, WHICHEVER IS LONGER, WITHIN WHICH TO REMIT THE FEE OR A                      IN ORDER TO AVOID ABANDONMENT. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136.

THE INDICATED AMOUNT OF THE FEE(S) DUE IS SUBJECT TO CHANGE YEARLY ON OCTOBER 1 (37 CFR 1.16 & 1.21). THE AMOUNT OF THE FEE(S) DUE IS DETERMINED AS OF THE DATE A COMPLETE REPLY IS RECEIVED BY THE OFFICE (37 CFR 1.8 & 1.10). BECAUSE THE AMOUNT DUE IS NOT NECESSARILY THE FEE INDICATED ABOVE, IT IS RECOMMENDED THAT APPLICANT CHECK THE CURRENT FEE SCHEDULE WHICH IS POSTED ON THE USPTO'S WEBSITE AT: <http://www.uspto.gov/web/offices/ac/qa/ope/fees.htm>

\*Service Charges: There is a \$50 service charge for processing each payment refused (including a check returned "unpaid") or charged back by a financial institution (37 CFR 1.21(m)). There is a \$25.00 service charge for each month when the balance of a deposit account is below \$1000 at the end of the month (37 CFR 1.21(b)(2)).

Sandra Piro  
Legal Instruments Examiner (LIE) or Clerk of Group

Inquires regarding this Notice should be addressed to the above at 571-272-1604 (insert Phone Number).

PTOL-319 (Rev 3-02)